

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHRISTIAN P. KLEIN,

Plaintiff,

**STIPULATION AND ORDER**

v.

1:21-cv-02470-DCF

KILOLO KIJAKAZI,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY<sup>1</sup>,

Defendant.  
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IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the defendant and the plaintiff, that the Commissioner's decision be, and hereby is, reversed and that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to the fourth sentence of 42 U.S.C. § 405(g), for further administrative proceedings. The Clerk is directed to enter judgment. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

Dated: New York, New York  
January 31, 2022

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York  
*Attorney for Defendant*

By: s/ Emily M. Fishman  
EMILY M. FISHMAN  
Special Assistant United States Attorney  
c/o Social Security Administration  
Office of the General Counsel  
26 Federal Plaza, Room 3904

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

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Dated: New York, New York  
January 31, 2022

PASTERNAK, TILKER, ZIEGLER, WALSH,  
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SO ORDERED.

Dated: 1/31/2022  
New York, New York

  
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Hon. Debra C. Freeman  
United States Magistrate Judge